Sat Case 421 6 70 198 WW B-EBC Document 1 Filed 02/04/21 Page 1 of 16

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT

1- Defendant written Page

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA (1-BPI) on Count Force The ACEL Included completed 1983 Forms 9 M Hand WRITTEN Claims on Clos (1) 1 9 Ganda Gilmore # 13255171 1- Hand WRITTEN Inform pauperis 1- Hand Written Excuss of Exhaustion F. C. C-Allenwood-U.S.P REMEDIES. P.O. Box 3000. White deer PA 1- SENT ASSAULT Claims TO D.I.G. by computor in (shu) Library (Address) 7-Remedy's I dem was denyed Within the 21-days of Assoult claims 3 the EXCESSIVE FORCE ACIS (Name of Plaintiff) (Inmate Number) (Case Number) (Address) (Each named party must be numbered, and all names must be printed or typed) CIVIL COMPLAINT (2) Mr. Carper. Shu-Lieutenan FILED (3) Mr. Duran Lieutenani WILLIAMSPORT (Names of Defendants) FEB 0 4 2021 (Each named party must be numbered, and all names must be printed or typed) 42 U.S.C. § 1983 - STATE OFFICIALS

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

TYGanda Gilmore#13255171 VS. Warden, et Al

case# 6:16cv286, Appeal # 16-6839 and 19-5237 Remand bar

from 2016-To-Present, to Honorable Judge Matthew A. Stinnet

Still active on Staff C/D mis conduct, about A Past Prison.

28 U.S.C. § 1331 - FEDERAL OFFICIALS

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

each ground on which you request action.
A. The A. The Is there a prisoner grievance procedure available at your present institution?
B. Have you fully exhausted your available administrative remedies regarding each of your present claims?YesNo Both
C. If your answer to "B" is Yes:
1. What steps did you take? On one Claim I File on staff They Cant
Force ME to take celly in Shy, the other claims of black
2. What was the result? The Remedy was denyed it's all
In House stuff with the B.O.P. They never address Issue
D. If your answer to "B" is No, explain why not: On Some Claims I was denyed Remedies
and Threaten by staff and staff try to Intimidate me If try And file on some claims other claim it Will take to Long to Exhaust Remedies because I only Have (22) months before. III. DEFENDANTS = Release and go home.
(1) Name of first defendant: Lieutenant, Mr. Carper
Employed as
IV. STATEMENT OF CLAIM
(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)
1. On 10-4-20 in special Housing unit (shy) mr. Me Qualey, (use Excessive force)

temper the effect of Pepper spray provided an Inference that

When Extracting ME from Cell-131, C-Range Im. McQualey Intentionally USE an

Excessive amount of peper spray on Because tryed to moverin a Gaurantine Cell, So = Refuse to be put in that cell - 50 The lack of effort to

mr. McQualey Wantonly Inflicted pain on me while I was trying to Just move In Better cell.

- 2. on 10-4-20, in (Shu) on outer Range on stairs and Floor by C/o

 Mr. Fry, and other C/o's push & Jurk me roughly as we was by stairs, once on
 the stairs, I was pull back & threw to Wall and Floor, the C/o push smash my Head
 on Floor Intentionally and Sadistically Dua finger in my EyE & left cut under my EyE.
 They (C/os) Ententionally and wantonly use Excessive Force on me.
- 3. On 10-4-20, in (Shu) on outer Range on stairs and Floor by Co

 Mr. Lynch, and other clos stampto wall & floor Intentionally & Wantonly

 Cause a Swollon Right Face, where my face was already Bleeding badly from

 Clo finger cut, which = already in Restraints cuff, & Clo bent my Hand out of

 Place all the way back, causing a Fracture out of Place finger & nee

 In my ribs while in cuffs on floor clo continue to Assault me.

 RELIEF and mr. Mc Qualey-Lieutenant let this Abuse go on before he

 Decided to order a staff to go get hand Extraction camera, after Assault.

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

- I Request Compensatory and punitive damages, cost if the wrongfull act was done Intentionally and maliciously. 3 for mental suffering.

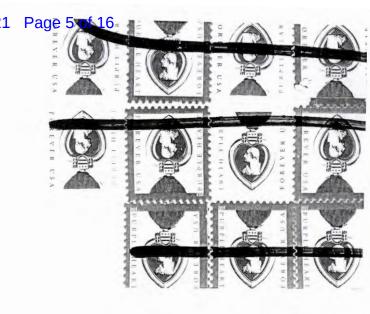
 and (a emergency transfer) under (Preliminary In Junction) & (Restraining order) because (I fear for my life around the dangerous c/as)
- Z. I Reavest the Judge act on my Assault/ABuse Claims because I was deprived of a Constitutional Right to be free From these officer Assault/and/trying also force me in cell With an another Immate to have me murdered after Slandering my name to Immate that I cooperated with the F.B.I and u.s. Attorney. Puting my life in danger.
- 3. I Request Judge order all law Im entitle to be appropriately done as to this good-faith action, so that these Correctional officer be Held accountable in their Indivisual Capacity.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 16 day of JAN, 2021.

TyGanda Gilmore
(Signature of Plaintiff)

F. C. C-Allenwood-U.S. Po Box 3000
White deer, PA 17887







WHITE DEER, PA 17887 JAN 29, 21 AMOUNT

Mailed From US Paniler Mary

AN 3 COST



U.S. District court of PA 240 west third Street, Suite 218 Williamsport, PA 17701-6460

To:	Case 4:21-cy-00198-MWB-EBC	Document 1 Fi	iled 02/04/21 Page 6 of 16 Loft Page
		Civil Rights un	der 42 usc 1983 Bivens Action
		V	Provided by Clerk N/A
FROM:	Tyganda Gilmore#13255171		1-16-21
<u> </u>			
	Tyganda Gilmore # 13255	sini	
	Plainti	££	
	Vs.		
	Warden, e.T.c., Al defendant		
	detendant	76	
m 5 100 m 5 1 1 1			
(H)	Mr. Friant, C/o at		8 mr. Miosi, c/o at
	F.C.C-Allenwood, U.S.P.	Po. Box 3000	
	White deer Pa 17887		White deer, PA 17887
(5)	mr. Williams, C/o a	+	9 Mr. Pencil, C/o at
	F. C. C-Allenwood, U.S.P		
,	White deer, PA 17887		White deer, PA 17887
6	mr. Lynch, C/o at		(10) Mr. Wrong, C/o at
	F.C.C-Allenwood - LA. S.P	Po Box 3	and F.C.C-Allenwood- U.S.P
	White deer, PA 17887	,	White deer, PA 17887
7	mr. Fry, C/o at		
	F.C.C - Allenwood -us	P Po Box 3	000
	white deer, PA 1788'		

FROM: Tyganda Gilmore#13255171

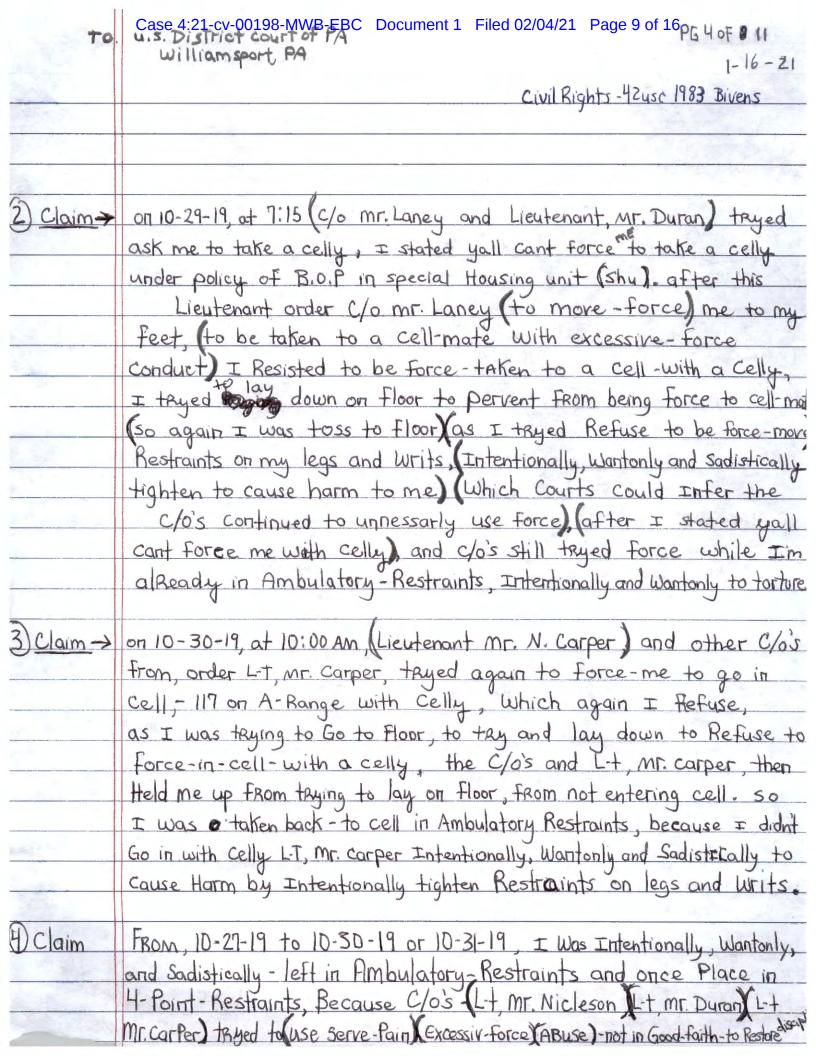
F.C.C-Allenwood-U.S.P
P.O. Box 3000

White deer, PA 17887 PE 20F# 11 1-16-21 Arguments/Grounds/Claims My Claims is Warden, Mr. Quay was aware and Knew of the Excessive or unprovoked violence and Brutality Inflicted by Prison quards upon Inmate, me Violates the (Eighth Amendment) A prison official may be Held liable under the Eighth Amendment for failure to Protect only if He Knows that an Immate faces a substantial risk of serious harm and disregards that risk by failing to take reasonable measures to abate it (Citing) SEE. Hudson V. McMillian, 503 U.S. 1, 6-7, 1125. ct. 995 117 L. Ed Zd. 156/1992) As to above Violations of Eighth Amendment, and Here Within I state a Claim as to (Warden, Mr. Quay) as (a failure to Protect) and Supervisory officials may be Held liable only if: 1) They affirmatively Participated in acts that Cause constitutional deprivation; or (2) Implement unconstitutional policy's that causally result in plaintiff's Injuries. (Citing) moville vicity of live out, Tex 977 F. 2d 924, 929 (5+h Cir. 1992) after (I Repeated brought the Excessive Force / Assault/ABUSE of numerous officers misconduct, To Warden mr. Quay Attention I Personally brought 3 Establish that Mr. Quay Was (aware) of my Claims because stated to him Verbely and on Paper Request on the Officers Misconduct mention within (citing) Burge v. st. Tammany Parish, 336 F3d. 363, 369(5th Cir 2003) avoting & Bennett V. City of Slidell, 735, F.zd. 861, 962, 5th cir 1984) I Repeated told mr. Quay I was being Denyed Remedies forms to try and Address officer, Threats, Excessive force acts, Intimidation 3 Retaliation Conduct and labeling me a (snitch) Informat) and using these tactics to Intimidate me from Exercising my Constitutional Right as a Prisoner, I told Mr. Quay, Guards was gone

disregard a Policy 3 not use Extraction Camera, because they said Mr. Quay

. I can t - Land this Hangen on 10-4-20 Which Mr. Quar didn't follow a Estabish Policy.

Тоз	Case 4:21-cv-00198-MWB-EBC	Document 1 Filed 02/04/21 Page 8 of 16 PG 3 oF 11			
		civil Rights under 424sc 1983 Bivens Action			
		CASE# To be Provided by Clerk N/A			
From:	Tyganda Eilmore # 13255171				
	3				
	·				
	Tyganda Gilmore # 1325517				
	Plaintif	£			
	VS.				
	Warden, etc, Al				
	defendants				
·	I brang to this court under	Pause 1983 Bivens Action on defendants			
•		Allenwood-4,s.P.			
() <u>Claim</u> →	on 10-27-19, at 2:25 in special Housing unit, I Refuse to be force				
	with a cell-mate, so I went to the floor on Range, to try and lay-				
		force-push into cell by c/o's			
	(Mr. Williams) and other	er C/o's I don't have name at moment,			
	with Intentional, wantonly, and sadistically to cause harm to me				
	C/0's used an excessive-fo	orce in trying to force me in cell, after			
	I said yall clos cant for	orce to take a cell-mate, so clos tryed repush me into cell, that's when it to flow			
	to actually to Shove-fo	rce push me into cell, that's when i to flow			
	as Im in Restraints, c/os	s, slam-threw me to Ground causing Pain			
	on me side and Chest t	Rom the aggressive Intentionally Slam-throw of Cowith nees in my back, and pushing			
	, then getting Cheap-shi	of the nees in my back, and pushing			
	my head to floor with	wantonly and sodistically to cause harm by			
	and the Other C/o In-	tentionally, wanter to cause harm by			
	tightening My Kestraints	already behind My back on My wrists			
	then capplying, leg Irons Bestraints to My ANKles tight -				
	Intentionally, Wantonly a	nd Sadistically to Cause harm).			
	Which Courts could Infer	the c/o's continued to unnecessarily use force			
2	Catter I stated Yall Comt for	ce with Celly and after tryed to lay floor, not to Go in co			



Case 4:21-cv-00198-MWB-EBC Document 1 Filed 02/04/21 Page 10 of 16

To: U.S. District court of PA williamsport, PA

PG 5 of 11 1-16-21

civil Rights-42 usc 1983 Bivens

CLAim (5) on 2-12-20, at or between 7:45 3 8:50 am, I taken out my Cell, due to a in "she" special Housing unit Shake down, "Which Yos stage the time when Im out my Cell, I was being Held in the Law Library area While shu-cell Shake down was being conducted. When Cos finish my cell - they came to get me from Library area-cell, Said I going back to my cell, - once cuff c/o's said I was moving to another cell by myself on B-Range, From my cell on A-Range. - Then the cell I was brought to was Housed with in Immate, - so i told Co's you can't force me to go in with a celly - and yall co's lied and stated Imgoing in cell on another Range alone, "then I was threaten by these "two" Mr. Friant & Mr. Williams, - Saying they going to beat my ass & torture me in Restraints-Ambulatory Restraints - if I don't go in with this celly - Clos was trying to have Horm-Kill Me - so I was in fear-for-my-life, 3 went to the floor to pervent from going into the celly with the Co's Ploted Immate, Then (C/Os use Excessive Force)-(they tighten my Wrist Restraints Intentionally-Sadistically and Wontonly) to cause harm and threaten me to try Intimidate me). I was then put in Ambulatory Restraints because C/o's - Retaliated on me because, I Critize B.O.P-Policy you clo's cont force me to take a celly While in the special Housing unit "shu" the shu' L-t, mr. carper Intentionally, sadistically and Wontonly) Kept me in Ambulatory Restriant. from 2-12-20 - to - 2-14-20, and also Intentionally, sadistically, Wontonly and Deliberately tighten my burist Restraints, to cause harm 3 in a torture nature, so I'll Want-out Restraints, to try force me to take a celly "they Co's Lt to have that inmote Harn - I suffered cut-marks around my wrist from the Intentionally tighten Restraint and Swelling of my wrist for day in Restraints - and numbress and some Hurting Pain, their days - I ask them to take Photos of my Hands ? wrist, and Lit, and nurse derived me. and after I taken out of Restraints - I was still denyed Medical Assessment.

To:	Case 4:21 cv-00198-MWB-EBC Doc	ument 1 Filed 02/04/21 Page 11 of 16 6 of 0 11			
	1 0	1-16-21			
		Civil Rights under 42 usc 1983 Bivens Action			
		case# To be Provided by Clerk N/A			
FROM:	Tyganda Gilmore # 13255171				
		7			
	Tyganda Gilmore # 13255171				
	Plaintif-	F			
	VS.				
	Warden, E.T.C, Al				
	defendants				
	To me Tyganda Gilmore #13255171, the Plaintiff's serious needs. They denyed me my Lunch & dinner 10-4-20 & 10-5-20 The Go denyed me Lunch, But at Night (mr. Miosi) denyed me dinner, S I had to Cover up the cell-window to get the yard-Lieutenar to come in order for me to uncover my cell-window so There is explain the c/o mr. miosi, when feeding, came to cell and Said Im gone starve you and Past my cell and fed next cell Inmate. These actions a is And When A prison official is deliberately Indifferent when the official Knows of and disregards				
	an excessive risk to Inmate Health or safety."				
	I was denyed (3) Meals and the Fourth ment was denyed				
	until the Lieutemant 1	s and the Fourth bearwas denyed tad to brang me my dinner, as I Clo's Actions to did with a			

To:	Case 4:21-cy-00198-MWB-EBC Document 1 Filed 02/04/21 Page 12 of 10 1 1 1-16-21				
	civil Rights under 42 usc 1983 Bivens Action				
	CASE# To be flovided by Clerk N/A				
FROM	Tyganda Lilmore # 13255171				
()-					
<u> </u>					
	Tyganda Gilmore # 1325171				
	Plaintiff				
	Vs.				
	Worden, e.T.c. Al				
	defendants				
	on 10-4-20, (C/o mr. Lynch) (mr. Fry) and (others) as I was				
	First throw to floor, as to when I was on my stomach one of				
	First threw to floor, as to when I was on my stomach one of the (C/o's touch - Pinch Pull at my Penis) that was Position in				
	between my legs along side my leg as I lay on my stomach,				
	this trappen the clos was acting Cheap shots on me, they				
	this happen the Clos was getting Cheap shots on my they sexually funder my Penis and Pinch it & Pinch my Butt, talkin				
= -	talking about How you like that you creep, so these Class Violated my Rights Period.				
- V					
	also on 10-4-20, I was denyed Proper medical attention to				
	my left Hand-Finger, after c/o bent it out of Place 3				
	Fractured my Hand-Finger, I ask for a medical assessment				
	and stated I want an X-Ray done on my Assault/ABuse				
	Complaint to medical and they egnored my REQUEST				
	Wantanin and Sadistically with deliberately todifferent				
S. C. State	wantonly and Sadistically with deliberately Indifferent				
	medical about Hand-finger they didn't even mated				
	medical about Hand-finger they didn't even noted My Statement, trying to Hide Clo's Assault/ABuse.				
	My Statement & 11 July to mue Clas issually issue				

10: U.S. DCase 4:21 cv-00198-MWB-EBC Document 1 Filed 02/04/21 Page 13 of 16 240 West third . St. Suite 218 Williamsport, PA 17701-6460 PG 80F@ 11 1-16-21 Civil Rights under 42 usc 1983 Biven Action FROM: Tyganda GilMOTE# 13255171 Case# To be Provided by Court Clerk. F.C.C-Allenwood - U.S.P P.O. BOX 3000 White deer PA 17887 On 10-8-20, I brought Complaint Claim of assault/ABuse/Excessive Force, (To. Warden, Mr. Quay) about Incident above on date 10-4-20, of Incidents because HE is the Supervisor of all C/o's E.T.C; To address the Misconduct so, that Hell be away of my claims because the Nature of the clos and Lieutenants. To also state Prior to claims above, Since I arrive, I been assault/ and Excessive force been of Clo's Intentionally and Wantonly and Sadistically To Cause harm to me, Threatening, Retaliation, and trying to Intimidate me, and Refusing to give me Remedy forms to Address matters on date on Misconduct (on 10-27-19)(10-29-19) 10-30-19 (10-31-19) (2-14-20) Throughout my stay here I've been assaulted / Excessive force and The Clo's Lieutengnt Staff Threaten me and was telling other Immates (That I'm a "Snitch , basically telling Inmates I (cooperated) with Law Enforcment, and u.s. Attorney and Staff was Misleading Info about Me of a Past state conviction of ABhan a sexual misconduct that was being Held in my son case in u.s. court, supreme courts E.T.C with the above mention about the clos staff, Telling Inmates Im a (Snitch) and (Cooperation With (u.s. Attorney) and (F. B. I) Indeed Put My life in Serious danger (from these peritentiary Inmates). (which it follows that I would have a protected liberty Interest in not being labeled one. a fact is when officials are aware of a danger to an Inmate's Health and safety, Put my cooperation with government, Law Enforcement F.B.I it violates the constitutional Prohibition against cruel and unusual Punishment to fail to afford me reasonable Protection, E.T.C. (So I brang awareness To. Warden, Mr. Quay) as to Excessive or unprovoked Violence and brutality Inflicted by Prison guards upon Inmates, violates my (Eighth Amendment) A official is Held Tiable if for failure to Protect, and Knows I face a substantial risk of serious harm, & fail to abote it.

PG 9 OF BOOM

From: Tyganda Gilmore# 13255171

F.C.C-Allenwood-u.s.P
P.D. Box 3000

White deer, PA 17887

1-16-21

Claims Grounds/Arguments/Excuss Exhaust of Remedie Off or after I Arrive oct, 212019, and until 7 or 8 months (Mr. Houser, Counselor) (denyed me or Refuse) to give me the necessary grievance forms (threatened me), saying he will tell Inmates Im a snitch and I cooperated with U.S. Attorney 3 Law Enforcement (Indeed put my life in danger), Trying to Provent me from Filing Remedies, Which is a Violation of my Constitutional Rights under Equal Protection of Law, due Process Rights, or [Intimidation-thwart] me from taking advantage of a Grievance process through [Intimidation] (Citing)-(Ross V. Blake, 136 S. C+ 1850, 1860(2016)) (Citing) (Rinaldi V. United States, 904 F. 3d 257, 267 (3d cir. 2018) (Citing) See Schreiber V, MOE, 596 F. 3d 323, 333-34 (6th Cir. 2010). (On 10-4-20) mr. Wrong and other Clos, (mr. Wrong) ust to the Boo Excessive-force, When I was already In Restraints, Cuff to the Back. (I was toss-slam by mr. wrong linto the Wall-Stair Railing) (then) (THrew on stair- floor hard Intentionally 3 Wantonly, sadistically to Cause Harm to me) (then Mr. Wrong got Cheap shots on me) (Push-ismash my Head to Floor and help other Clo's Involve Bend my hand out of Place (then they Intentionally Wantonly tighten my Cuffs trying to Intimidate, threatening me) and kneeing me in my ribs as I lay on floor in Special Housing unit (shu) (this is in violation of Physical & mental harassment land mr. wrong (Conduct exceeded his Authority with other clos.) Which is a deprivation of my Fifth 3 Eighth Amendment Rights (for Which I can recover damages.)

From: Tyganda Gilmore # 13255171 F.C.C-Allenwood-u.s.P P.O. BOX 3000

Page 12

White deer, PA 17887

Claims/Arguments/Grounds/

on 1-15-21, in the special Housing unit (shu) I was Threaten and Retaliated-on by officer (Mr. pencil) after I came back this day of 1-14-21. ReGarding to my (Computer Videoconference on Case# 6:16cv286-DCR on another past Institution I was at, (Shu) Lietenant,

on the (shu-Range X Mr. Pencil) Call me a (snitch) is (Informant) for my litigation on a B.O.P- Staff Resarding to Mr. Chaney on case# 6:16cv 286-DCR and Further Stated, To the Inmates on Range Im a snitch above mention and my cooperation with the Law-enforcement 3 U.S. Attorney as to my Currently Fed Case. which Indeed put my life-in-danger and his Action is In Violation my U.S. const. amend VIII Rights. because my B.O.P. Court litigation mention above and and puting my life in danger by telling Inmates Im a stritch, Then

trying to force me a Cell-mate, to cause me trarm, Which Mr. pencil, did this the (deliberate Indifference) as (He was aware) that He was puting My life-in-danger by telling Immates Im

a snitch.

Claims/ Arguments/ Grounds/ also since I Arrive a Chronology of events from which Retaliation may plausibly be Inferred. I was labled a Snitch & Informant because of my Court litigations 3 My current Sentencing Case, I Was Retaliated on and Threaten by these clos and had Fabricated Incident Reports filed on me Froze than (15) Incident Reports for Me Exercising a Constitutional Right Secure to me Prose Petitioner

PG @ 11 OF 11

From: Tyganda Gilmore # 13255171

1-16-21

F.C.C. Allenwood U.S.P.

P.O. BOX 3000

White deer PA 17887

Excuss of Exhaustion Remedies

I Petitioner Tyganda Gilmore #13255171 come to this Court with numerous reasons below for Excuss of Exhaustion Remedys

(Prison officials refused to supply me with grievance forms) threaten me and refused to process my grievances).

(2) Grounds/Arguments: My Claim on why & was prevented from Exhaustion my claim on some of my Early Staff Misconduct. When I first arrive from oct 27, 2019 to FEb 31, 2020 Twis denyed Remedies and Threaten If I trued to file on (C/os 3 Lieutenant), because C/os & my Unit-team (mr. Houser, Counselor) and mil support with Law enforcement & u.s. Attorney) (Puting My life in danger). and My Claims go to the weight of the Evidence if defendant Claim

Summary Judgment in Court)

(3) I Petitioner Come to court that also Im With in (21/2)+0(3)-(months) before I Release) to Society - go home.

Even so, that I tryed Exhaust on old Claim of Misconduct Recently, And on New Claims of Misconduct on Staff & Clas.

Some Claims Exhausta, Staff didn't give me Remedys (6) Clair

Grounds/Argument: Even so + tryed to Exhaust Claims like I mention above My Claims can also be

(Excused of Exhaustion) (because it's to time consuming) to Extraust Remedie due to this Covid-19 Pandemic, 3 Remedy denis

it takes a month and half or 2 months between BP-8,3 9 Jail level. it takes 31/2 4 months Regional level 3 another 3 to 4 month at the

Central office to Exhaustion, Even if I had the time remaining

on my sentence to Exhaust, which I don't my Release date is April 9-2021